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# WAR TIME PROHIBITION CONSTITUTI NOT CONFISCATORY, SUPREME COURT HOLDS

EIGHTEENTH AMENDMENT

HEARING ON THE ANTHONY

mail periodicals using the secons class mail privilege in order to conserve news print paper were commended and opposed by more than a score or news-paper and magnatine publishers today octore the house postorifee committee. Opposition to the measure came chical from the representatives of the larger newspapers, who declared.

snip on the large newspapers of the country.

The bill was supported by publishers of small newspapers, who declared they would be forced to suspend publication unless something were done, in opening the hearing, Representative anthony of Kansas, author of the bill declared that from 2,500 to 5,000 small newspapers face suspension and per-

newspapers face suspension and per-haps extinction should the present shortage of news print paper continue. The shortage, the Kansas representa-tive charged, was due to the action of the great publishing concerns in buy-ing up practically the entire available supply.

Speaking for the Chicago Tribune, a large user of paper, J. Medill Patter-son declared that the twenty-four page restriction would affect only fifty to

aupply

product.

NEWS PRINT PAPER BILL

In Rendering Decision Sustaining Validity of the War-Time Prohibition Act, the Court's Opinion Declares That President Wilson Is Vested With Power to Terminate the Act By Proclamation Upon Ascertaining That Demobilization Has Been Accomplished - Court Says That Distillers Were Given More Than Nine Months to Dispose of Their Stocks-No Decision Was Given Upon the Validity of the Volstead Prohibition Enforcement Act Or Upon Appeals Involving the Alcoholic Content of Beer-Liquor Interests Are Prepared to Combat Federal Prohibition Amendment.

Washington Dec. 15.—By unanibe valid.
Thous decision constitutionality of war time prohibition act was sustained today by the supreme court. The that more than nine months were given

time prohibition act was sustained today by the supreme court. The opinion, given by Associate Justice Brandels held in offect, however, that the war-invoked "dry" period still may be terminated by presidential proclamation of demobilization.

In rendering its opinion the court, however, did not not upon the validity of the Volstead prohibition enforcement act or on appeals involving the alcoholic content of beer, leaving those cases to future opinions which may be hair I down next Monday before the court recesses for the Christmas holidays. Today's decision practically swept away all hopes of a "wee" Christmas as the possibility of the war-time act being the first that the following the distinction of the court held, by the prohibition constitutional amendment, which, it is asserted, is binding not unity in peace but also in war times. Announcement was made tonight that the house agriculture committee will meet tomorrow to yote on the motion to table the bill of Representative Gallivan, democrat of Masmachusetts, which would repeal the war time act.

LiQUOR MEN TO CONTEST EIGHTEENTH AMENDMENT of the war-time act being before constitutional prohi-comes effective one month

hopes of a "we" Christmas as Leposability of the war-time act being repealed before constitutional prohibition becomes effective one month from tomorrow were considered remote.

The cases decided were those of the Kentucky Distilleries and Warehouse Company of Louisville. Ky, and Dryfoes. Blum and Company of New York Instituted for the purpose of compelling the government to release whistey from bond. In both cases, the court decide contentions of Eithil Root and other attorneys for the distillers that the act in violation of the constitution tases private property without ust compensations, that the period of the war mergency for which the act was passed had terminated, that the law was an interference with the state police powers and an undu exercise of the war powers of congress.

Congress did not intend for the war time act to terminate on the conclusion of the war but at the end of the period of demobilization in the view of the court, which held that the "conclusion of the war during the date when demobilization had terminated."

"Congress, therefore, provided," the opinion added, "that the time when the act was determined in the president as accritanting and proclaiming the date when demobilization had terminated."

"Had the president on October 27 has, when he veloed the Volstead act, believed that demobilization in the view of the court, which held that the "conclusion of the war disard," he would doubtless have issued then a proclamation to that effect, for he had manifested a strong conviction that restriction upon the sale of liquor about a strong conviction that restriction upon the sale of liquor about and."

"The llow fell hardest upon the thorough the serious consequences attending uncertainty be covained."

"The low fell hardest upon the hardest, for he had manifested as strong conviction that restriction upon the sale of liquor about a strong convection that restriction upon the sale of liquor about the serious consequences attending uncertainty be covained."

"The low fell hardest upon the tr

and the serious consequences at-tending uncertainty be covilited.

In this connection Assistant Federal Position Attorney Matthews, in charge of prosecution of offenders against the ladge, the opinion read, "some of which have been referred to, that the which have been referred to, that the treaty had not yet been concluded, that the mallways are still under natreaty had not yet been concluded, some 300 offenders already arrested that the railways are still under national control by virtue of the war, the number of arrests of new off though control by viriue of the warpowers, that other war activities have
not been brought to a close, and that
it can not even be said that the min
power of the nation has been restored
to a prace footing we are unable to
conclude that the act has considered to the said that it is not close to the uncertain consometime that the act has considered to the said the said the said to the said the said that the said that the said that the said that the said t conclude that the act has ceased to hibition act.

### LIFTING RESTRICTIONS ON CONSUMPTION OF COAL

15. Restriction the consumption of bituminous coal itinued to go by the board today, the railroad administration, now in charge of the distribution of supplies, received reports indicating that 80 per cent of the striking miners had returned to work. Orders were issued by Director General Hines allowing bunker coal to be supplied to foreign wheel vessels in American harbors whenever the local supply is sufficient to fill the requirements of constwise and American owned ships. Senatorial investigation of the strike

settlement proposal was temporarily salted today, whis Chairman Freing-suyer and members of the investigating sub-committee considered the policy to be adopted. It was said after elley to be adopted. It was said after buy executive session that a comittee had not decided as to whether would formally demand documents the possession of Dr. Henry A. Garied, former fuel administrator, who esigned because of his disagreement rith the settlement proposals, or as a whether Attorney General Palmer and other efficials would be called. The committee, however, decided to esume hearings and summoned R. B. Gorris, one of the engineers of the fuel diministration, to furnish the statisadministration, to furnish the statis-tice on which Dr. Garfield based his suggestion that a 14 per cent, increase in wakes be given the miners and paid out of the operators' profits without galaing prices of coal.

### HEARINGS ON ZONE SYSTEM ARE TO BEGIN THURSDAY

Hartford, Conn. Dec. 15.—The public utilities commission announced at the close of today's hearing on the zone fare system recently installed by the Connecticut Company that hearings would be held beginning Thursday morning on the profests filed by Meriden. Southington. Bloomfield, Plainville, Berlin and Newington. On Midday potitions from Mannesster will come up. No dates were set for hearings affecting other sections of the state. It is understood that at least one hearing will be held in New Haven and one in Bridgeport. Thurnelad Setalls of the operation of the Connecticut Company's lines were given loday by officials of the company. The greater part of the day was occupied with the testimony of Themas J. McGreevy, assistant comptroller of the system. Hartford, Conn., Dec. 15 .- The pub

product.

The prospective shortage of print namer for 1920 was estimated at 200.000 tons by Frank P. Glass, publisher of the Eirmingham. Ala., News,

If was brought out that the cost of the system.

If was brought out that the cost of the standard president of the American Publishers' Association. He predicted however, that relief from the shortage walld come within six months.

Congress, Mr. Glass, declared, eitherst the total physical valuation of the company's property is \$36.151.225.

(Continued on Page Three, Col. Three)

# Condensed Telegrams

British exports for October were 79,000,000 pounds.

General Gonsalez reports the sur-

British food ministry announced lans for a reduction of 2 cents a uart in milk. American Smelting & Refining Co. cents a pound.

For political reasons the request o former Emperor Charles to reside In Czecho-Slovakia was denied.

Gold amounting to \$5.000,000 arrived in New York from Canada. This is part of \$20,000,000 to be shipped.

Arrangements were completed for holding a second World Aviation Congress in Atlantic City next year.

Roosevelt Memorial Association announced 40,000 persons in Hawaii had prolled in the membership drive.

Queen of Rumania sent congratulaions to Lady Aster upon her winning seat in the House of Commons.

Reports of the Weather Bureau indicate severe weather for Christmas in New York and along the Atlantic

Britain will soon end the control of There is a sufficient supply hand to cover all needs for several Sir Robert Borden, who is in ill

health, will retire from government leadership of Canada next month it More than \$10.000,000 in Christmas

bonuses will be distributed to em-ployes of Chicago banks and stores during the coming week. Automobile fatalities in Chicago

during the past year averaged more than one a day. To date there were Labor disturbances and rioting in

Indies, were quelled by sailors land from the British warship Calcutta. Hungarian Cabinet definitely decided upon the members of the dele-gation to sign the peace treaty be-tween the Allied powers and Hungary.

Greek soldiers and irregular Turkish troops engaged in skirmishes during the past few days in Western Asi Minor, according to Salonica reports.

Esthonian and Bolsheviki reports received in London report heavy fight-ing on the Narva front. The Esthonireport beating off the Bolsheviki Secretary Daniels says the policy of

selecting officers from men in the ranks of the marine corps originated during the war, will be made perma-

Lloyd George government in Eng-ind is being severely criticised. As-uith declared it a government of no orordination, of mether principles The Unger Steel Airship Co. began

ndvertising for capital to construct ships and terminals for a proposed aid service between Germany and the United States. Reports reaching Nogales, Ariz., an-

tounce a fight between Mexica ral troops and Yaqui Indians labitan, south and east of Washington, Dec. in. Provisions of the Anthony did which would limit to twenty-four pages daily newspapers and periousass using the secons class

The congress of Swiss school teachers proposes to the International As-sociation of Telehers, at Brussels; a preliminary international conference

Fire Commissioner Brennan, of New larger newspapers, who declared in.: York, and restriction on the size would do little to remedy the situation resulting from the shortage of paper and would serve only to work a great if not fatal hardship on the large newspapers of the Secretary. 900 worth of modern fire fighting a ment would be received.

arrived at Hoboken on the army transport Northern Pacific after two weeks' inspection of the Panama Ca-

Major General Reinhardt, former russian Minister of War, charged th direct responsibility for the exe-ution of twenty-nine sailors in Her-

# OFFICES FILLED BY THE YALE CORPORATION

restriction would affect only fifty to sixty newspapers, but to put it mine effect immediately would bankrupt many of the papers. The larger papers he told the committee, were willing to ascept a 10 per cent, cut but were strongly opposed of the Antona proposal, which he estimated in some cases would amount to a cut of 60 per cent. Many of the larger papers, he added already had instituted reductions in size amounting to more than 10 per cent. New Haven, Conn., Dec. 15.—The Yale Corporation at a meeting Saturday filled the offices of provost of the university and dean of freshmen, two new posts provided for in the reorganization programmo adopted hist spring. Williston Walker, who is Titus Sirect professor of confessarios. organization programme adopted hist spring. Williston Walker, who is Titus Street professor of ceclesiastical history, was elected provost, it was announced tonight. Professor Walker has been at Yale for eighteen years. He is a graduate of Amherst, class of 1882, and is known as a leading church historian.

Boswell P. Angier, professor of psychology and director of the psychology and director of the psychological laboratory, was elected dean of freshmen. Professor Angier was graduated from Harvard in 1897 and has been connected with Yale thir-Suggstion that an embargo be placed on coal to Carada until Ca-nadian newspapers, which, he said. placed or coal to Canada until Ca-midian newspapers, which he said, I were using all the newsprint they de-sired agreed to submit to the same conservation programme ferced on the newspapers of the United States was made by H. L. Rogers, business man-ager of the Chicago Dully News. This action could be usified, he added, by the fact that Canadian pulp mills used Amercan calcin making their product.

graduated from Harvard in 1897 and has been connected with Yale thirteen years. He served in the war as a captain in the signal corps, having charge of certain psychological tests for army aviators at Minecla, L. I.

Professor Walker will assume his new duties next July. Professor Angier will begin his new work January I. when he will take up plans for the common freshman year which is to go into effect next fall. Both nominations had the endersement of the conference committee at the alumni ad-

lishers' Association. He predicted however, that relief from the shortage waild come within six months. Congress, Mr. Glass declared, either should give the Federal Trade ference committee of the alumni ad-

# Reports Received of Mexicans Release Marine Disasters Frederick Hugo

name was not known here, had been released likewise.

The announcement followed earlier bassy at Mexico City, and the consul action by the department, the em-

DENIES SHE TOSSED HER

Atlantic City, N. J., Dec. 15 .- Con-

### Repeated Attempts Failed Conditions Are Unknown-It to Float Three Steamers Is Supposed No Ransom Ashore In Vineyard Sound. Was Paid.

Vineyard Haven, Mass., Dec. 15.—
Repeated attempts by the coast guard cutters Acushnet and Gresham today to pull affeat the steamers Northwind and Lake Crystal, stranded on Naushon Island, were unsuccessful. The steamer Fairfield also remained fast aground tonight in Martha's Vineyard.
One of the holds of the lake Crystal was filled with water. Water also was entering the holds of the Northwind, but her pumps were controlling it tonight. Vincyard Haven, Mass., Dec. 15 .-Washington, Dec. 15 .- The state department was notified officially late today that Frederick Hugo, the American selzed by bandits in the recent raid on Muzquiz, Mexico, had been released and had returned to Muzquiz Conditions upon which he was set free were not stated in the message, but the department's an-nouncement said it was supposed no ransom had been paid. The official report came from the American Consul at Piedras Negras, Mexico, and added that it was possible that Phillips, an American also captured during the raid and whose first name state has been seen as

but her pumps were controlling it to-night.

A wrecking plant, sent from New London will begin salvage work on the Northwind as soon as the gale sub-sides somewhat. Two other wrecking expeditions were reported on the way from New London to assist in float-ling the other two steamers. The three vessels are carrying more than 10,000 tons of bituminous coal. The crews remained absent tought. remained aboard tonight.

# WRECK OF THE LIBENTELO

Basie, Dec. 15 (Havas),—Advices re-ceived here today from Stettin report that the steamer Kriemhlid met a ship having on board ten from a wreck. The advices say these persons declared they were on the American steamer Libontelo, is sow tons, bound from New York to England, which struck a mine and sank. No trace of the rest of the crew of forty-two men could be found, it was said.

The steamer Libentelo referred to in the foregoing is not listed in shipping records, and it is believed that it may have become confused with the American steamer Liberty Glo, which was reported to have struck a mine off Terschelling, Holland Dec. 4.

A London despatch Dec, 12 said sixteen men of the crew of the Liberty Glo had been saved and the others unaccounted or had perished.

Previous reports from The Hague said all but twenty-three of the crew had landed at Terschelling. Later the agents of the ship were addised from Emend that ten of the crew had been landed at that port, which would have made thirteen men still missing. The steamer Libentelo referred to in

# BRITISH SCHOONER ST. CLAIRE THERIAULT PROBABLY LOST

Sydney, N. S., Dec. 15.—The American steamer Lake Galewood, which went ashore at Port Hood during the gale of last night has been refloated, according to advices received here today. The steamer Lake Elmdale, which also was blown ashore at Harbary A. Boneke is expected. Foderal agents and police were busy in San Francisco working on a card index of more than a thousand members of the California Communist party.

Washington, Dec. 15.—Twelve roll calls interspersed with charges and counter-charges, extending over two legislative days, brought adoption late today in the house of a special rule permitting immediate consideration of the report of the committee which investigated war time expenditures of the war department.

Demogratic members throughout the latest and the story of the kills in the control of the war department.

Democratic members throughout the two sessions waged a hard light to prevent consideration of the report, which they asserted made no specific charges and was only a series of veilced hints at fraud. In reply, republican "representatives charged the democrats with blocking proceedings "to conceal the fraud and incompetency of the war decoratement."

of the war department.

The report, which was filed several weeks ago by the committee of which Representative Graham of Illinois is chairman, attacked war department officials for alleged wasteful expenditure of money and suggested reopening of all claims for unexpired contracts settled by the war department and submission of these claims to an impartial board for final approval.

Representative Campbell, republican, Kansas, speaking on the proposal

can. Kansas, speaking on the proposal transport Northern Pacific after two weeks' inspection of the Panama Canal Zone and Puerto Rico.

Professor Alfred F. Porta, Italian astronomer and the proposal transprobably the heaviest on record will wish the beariest on record will wish the bearing that "millions of dollars were taken from the people and turned over to such men as R. H. Long, a democratic politician, and a favorite tween Dec. 7 and the end of the month.

Representative Jeffries, Nebraska, a republican member of the committee, declared that the war department bought \$45,000 saddles and 1,000,000 n last March, was dismissed from had only 231,000 horses and mules. which Representative Garrett, Tennessee democratic members of the committee, defending the war department, said speedy settlement of infinished war

welfare of the country.

"In hundreds of clars" said Representative Garrett. "the character of the institutions and factories at which these contracts had been filled was althese contracts had been filled was al-most completely changed by reason of their war contracts. Commercial pro-duction was abandoned and every en-orgy and facility had been bent on supplying war needs. It was of su-preme importance to the public that these institutions might return to a neace basis and again enter commer-cial production, giving employment to labor and sumplying the peace needs labor and supplying the peace needs of the country."

# GERARD WOULD BE A

PRESIDENTIAL CANDIDATE Pierre, S. D. Dec. 15.—James W. Gerard, of New York, has signed a minority nominaling petition as a candidate for president of the United States at the state primaries in March, it was announced here today. The petition also was signed by six delegates to the recent state proposal meeting here. Principles accompanying the peti-

tion are summarized as being to "make and keep the country sale for demogracy." head to tall and also a green light along cach side of the body.

A BEQUEST OF \$421,233

Senator Warns Congress That If Railroads Are Turned Back to the Owners Without Enactment of Necessary Legislation Two-Thirds of the Roads Would Be In the Hands of the Receivers Within Thirty Days-Asserts That They Would Fall Into Hopeless Confusion-Attacks Were Made On the Cummins Bill By Senators Lenroot and Stanley.

Washington, Dec. 15.—Congress was dent stood pat, in which event, he decimed today that if the railroad diared, it was imperative to "remain here and enact necessary legislation."

During the all-day debate the principle of the principle of the stood pat, in which event, he desired the control of the stood pat, in which event, he desired the principle of the stood pat, in which event, he desired the principle of the stood pat, in which event, he decimed to the principle of the stood pat, in which event, he decimed to the principle of the stood pat, in which event, he decimed to the path of the stood pat, in which event, he decimed to the path of the stood pat, in which event, he decimed to the path of the path of the stood pat, in which event, he decimed to the path of the pa were turned back to their owners without enactment of legislation for cipal attacks on the Cummins bill were

were turied back to their owners and emergency of the presence of the presence

RELEASE OF FRED HUGO

St. John, N. B., Dec. 15.—The British schooner St. Claire Theriault, recently reported in a sinking condition, sixty-five miles off shore, with part of here crew sick and disabled, is believed to have gone down. A report that the ship bad reached Yarmouth, N. S. proved to be erroneous, A wirelessy message received here Saturday told of a vessel being sighted floating bottom up by a passenger steamer. The location of it minds it possible that it was the unissing scooper.

TWO SCHOONERS ASHORE

ON THEIR MAIDEN TRIPS

Sydney, N. S., Dec. 15.—The American steamer Lake Galewood, which went ashore at Port Hood during the gate of tast night, has been refloated, according to advices received here take Elimale, which also was blown ashore at Har-school and the second of the state of the president in the could not believe the president spart. Announcement of the Fredesco of the state of the president spart. Announcement of the place and he still in that town, and the possible that it was the unissing scooper.

TWO SCHOONERS ASHORE

ON THEIR MAIDEN TRIPS

Sydney, N. S., Dec. 15.—The American steamer Lake Elimale, which also was blown ashore at Port Hood during the gate of tast night, has been refloated, according to advices received here to clay. The steamer Lake Elimale, which also was blown ashore at Har-school and the process of the static through the first one of the statement to congress in May that the roads would be handed back the end of the calendar year. Sensator Smith, democrat, Georgia, the would not be given within sound of the growled the statists on spirity to define the would not be given with sound and the would not require it it would not attempt to the release of the president's part. The first the president's position.

Answering Senator Smith, democrat, Georgia, itsing to inquire if it would not would not would not would not would not would not would n

## BOY INTO THE OCEAN LEGIONERS TO CONDUCT A DRIVE ON CONGRESS

Washington, Dec. 15.—National and state officers of the American Legion decided today at the initial session of their three day conference here to carry direct to congress tomorrow their nounced tonight that he would apply Jrug, according to attending physicians, Mrs. James M. Blake, charged sith the murder of her five-year old fight for legislation benefiting veto-babeas corpus for the murte son. James "Bunny" Blake, crans of the world war.

The drive on congress—the first to White and Mrs. Jones.

of whom expressed sympathy with the purposes of the meeting and emphasized that two colored men were on the same car. Mrs. Blake of the authorities the boy had been kidnapped by two colored men who got off the car with her at Cambridge state.

# car with her at Cambridge avenue. As VETERAN OF TWO WARS she was leaving the car, the conductor said. Mrs. Blake handed him fifty cents as a Christmas present. She lold the conductor that the conductor is the conductor. ATTEMPTED SUICIDE

# FOR YALE UNIVERSITY CLEMENCEAU FRACTURED EIGHT RIB ON LEFT SIDE New York, Dec. 15.—Yale university will receive \$421,233 under the will of the late Frederick Mead of New York

Paris, Dec. 15. Doctors Tuffer and Laubry made another X-ray examination of Fremier Clemenceau this evening, after which they issued the following building:

the late Prederick Mead of New York and Greenwich. Conn. It was announced today. The university also will receive the remainder interest from life estates of various relatives. Mr. Mead, a Yale graduate, had been a tea merchant here for many years. After his graduation he joined on expectition to collect fossits for the Pealodoff Wuseum. His estate is estimated at \$894.514.

## DEVELOPMENTS IN THE DANSEY MURDER CASE

with the murder of her live-year old mute son, James "Bunny" Blake, atth sobbingly denies that she tossed the carly headed boy into the ocean. According to br. It. Souder, Atlantic County physician. Mrs. Blake is getting slowly away from the living plus store and the story of the kill inapping store also have considered to revite the story of the kill inapping store also have considered to revite the story of the kill inapping store and the legion officers, it was shown in the story of the kill inapping," said Dr. Souder, "but I told the said, the child ran ahead of the boardwalk from Cambridge avenue, site sair, the child ran ahead of her. The boy headed for the boardwalk from Cambridge avenue, site sair, the child ran ahead of her. The boy headed for the boardwalk from Cambridge avenue, site sair, the child ran ahead of her. The boy headed for the boardwalk from Cambridge avenue, site sair, the child ran ahead of her. The boy headed for the boardwalk from Cambridge avenue, site sair, the child ran ahead of her. The boy headed for the board walk she added, and must have governed to receive the sair of the start that the child ran ahead of head of the sair the child ran ahead of head of the sair the child ran ahead of head of the sair the child ran ahead of head of the sair the sair the child ran ahead of head of the sair the sair the child ran ahead of head of the sair the sair the sair that the proposed visit to congress the boy tried to get under the railing of the Skeel Pier in this city. He was caught in time, she said, or he might have been drowned.

Dr. Souder said he had ordered an impression the said the said the conductor and two passengers who was the said the conductor of the said the said the said the conductor and two passengers wis ward to explain to members of conservation. The said of the conductor and two passengers wis ward to explain to members of conservation and the said the said the how of F

was \$5.2 per cent. of normal, or four points lower than the ten yearay-erage and 13 points below that last

Acreage planted to rye also showed a marked decrease, the area heig 5,7 553,000 acres or 1,752,000 acres less than that a year ago.

said, Mrs. Blake handed him fifty cents as a Christmas present. She told the conducter that the child was making her nervous.

James M. Blake, a Philadelphia insurance broker, visited his wife in the hospital today and later left for Philadelphia. Mr. and Mrs. Blake have been estranged, but he is said to be standing by her in her present trouble. One of the theories of the police is that Mrs. Blake might have had an hallucination that if she got rid of the child she and her husband might become reconciled.

A BEQUEST OF \$421,233

# BOLSHEVIST AGITATORS

Washington Der, 15.—Papers taken frem Bolshevik couriers in enstern Europe are said in state department advices todar to show that American. French and British passports forms are being engraved by German communists in Berlin for use in sending Bolshevik aritators absent.

# SUPREME COURT DECISIONS

Washington, Dec. 15 .- Announ ment was unde lare to their by the de-partment of justice that an investi-gation was being made of reports of alleged "coke" on supremers court In Paraguay there is found a "rail-vay-heetle," a kind of glow-warm. Egyptian tombs, the strings of which, which emits a strong red light from in several in-tames, were intact, and head to tail and also a green light gave forth distinct sounds after a si-lence of about 3,000 years.